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KENNETH J. MURPHY  
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U.S. DISTRICT COURT  
SOUTHERN DIST. OHIO  
WEST DIV CINCINNATI

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA *ex rel.*  
MICHAEL SAUER,

Relator,

CIVIL ACTION NO. C1-00-0251  
J. Spiegel

v.

**FILED UNDER SEAL**

BROOKSIDE EXTENDED CARE, INC.,  
*et al.*,

Defendant(s)

**ORDER**

The United States having declined to intervene in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), the Court rules as follows:

IT IS ORDERED that,

1. the complaint be unsealed and served upon the defendant by the relator;
2. all other contents of the Court's file in this action remain under seal and not be made public or served upon the defendant, except for this Order and The Government's Notice of Election to Decline Intervention, which the relator will serve upon the defendant only after service of the complaint;
3. the seal be lifted as to all other matters occurring in this action after the date of this Order;
4. the parties shall serve all pleadings and motions filed in this action, including supporting memoranda, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3). The

United States may order any deposition transcripts and is entitled to intervene in this action, for good cause, at any time;

5. all orders of this Court shall be sent to the United States; and that

6. should the relator or the defendant propose that this action be dismissed, settled, or otherwise discontinued, the Court will solicit the written consent of the United States before ruling or granting its approval.

IT IS SO ORDERED,

This 16<sup>th</sup> day of Sept, 2003

  
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UNITED STATES DISTRICT JUDGE

or

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UNITED STATES MAGISTRATE JUDGE